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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,282	07/25/2003	Kanji Hanashima	N&H 443	3678

23474 7590 04/07/2004

FLYNN THIEL BOUTELL & TANIS, P.C.  
2026 RAMBLING ROAD  
KALAMAZOO, MI 49008-1699

EXAMINER
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PATEL, VISHAL A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/627,282	HANASHIMA ET AL.	
	Examiner	Art Unit	
	Vishal Patel	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Nicholson (US. 5,240,263).

Regarding claim 1:

Nicholson discloses a gasket (gasket 4 of figure 24) wherein two metallic coned disc springs (springs like members having 2, which are welded at one end) each of which has a circulation opening (opening opposite the weld 12) for a fluid in a central portion (central portions of pipes, column 1, lines 10-13) and each of which is formed into a seal surface (curve seal surface that is contacting surface 22 of pipe flanges) in which an outer peripheral portion (outer peripheral portion which are connected by weld 12) with respect to the circulation opening rises having an arc-like curved surface (the seal surface has an arc-like surface) are combined while being oppositely directed and have outer diameter peripheral edge portions which are welded and fixed (welded by 12).

3. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Nicholson (GB 2235260).

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Nicholson disclose a gasket where in two metallic coned disc springs (springs like connected at 23) each of which has a circulation opening (opening opposite 23) for a fluid in a central flat portion (flat portion 23) and each of which is formed into a seal surface (arc surface that will contact surface 15 of flanges) in which an outer diameter peripheral edge portion warps having an arc-like curved surface (where 23 is considered to be the inner edge and the arc surface as the outer diameter peripheral edge) are combined while being oppositely directed on the flat surface portions having the circulation openings and are welded and fixed (the flat portion 23 is welded).

4. Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by McLean (US. 6,431,825).

McLean disclose a gasket (gasket of figure 1) where in two metallic coned disc springs (springs members 9 and 5) each of which has a circulation opening (opening 6 and 10) for a fluid in a central flat portion (flat portions which are welded by weld 13) and each of which is formed into a seal surface (arc surface that contact surfaces of 1 and 2) in which an outer diameter peripheral edge portion warps (outer diameter after 7, 11, 8 and 12 all warp) having an arc-like curved surface (arc surface that contact surfaces of 1 and 2) are combined while being oppositely directed on the flat surface portions having the circulation openings and are welded and fixed (the flat portions are welded by weld 13).

***Allowable Subject Matter***

5. Claim 3 is allowed.
6. The following is a statement of reasons for the indication of allowable subject matter: Prior art fails to teach or fairly suggest a gasket having a three metallic coned disc spring, the

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first disc has a circulation opening for a fluid in a central portion and which is formed into a seal surface in which an outer peripheral portion with respect to the circulation opening rises having an arc-like curved surface, the second disc spring having a circulation opening for a fluid in a central flat portion, and the third disc which has a circulation opening for a fluid in a central flat portion and which is formed into a seal surface in which an outer diameter peripheral edge portion warps having an arc-like curved surface, **wherein the second disc is combined with the first disc spring while both are oppositely directed so that the outer diameter peripheral edge portions thereof are welded and fixed, and the third coned disc spring is combined with the second coned disc spring while both are oppositely directed so that the central flat portions thereof are welded and fixed.**

#### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Washida, Nicholson (US. 5,354,072) and Nicholson (US. 6,131,915).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vishal Patel whose telephone number is (703) 308-8495. The examiner can normally be reached on Monday through Friday from 7:30 PM to 4:00 PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight, can be reached on (703) 309-3179.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-2168. Technology Center 3600 Customer Service is available at 703-308-1113. General Customer Service numbers are at 800-786-9199 or 703-308-9000. Fax Customer Service is available at 703-872-9325.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:** 703-872-9326, for formal communications for entry before Final action: or,

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703-872-9327, for formal communications for entry after Final action.

Hand-delivered responses should be brought to Crystal Park Five, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor (Receptionist suite adjacent to the elevator lobby).

VP

March 30, 2004



ALISON PICKARD  
Primary Patent Examiner  
Tech. Center 3600